

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



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FROM: County Counsel/TLMA
Department of Building & Safety

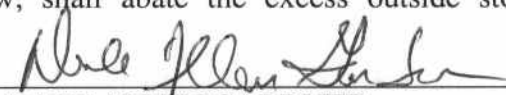
SUBMITTAL DATE: June 7, 2004

SUBJECT: Abatement of Public Nuisance [Excess Outside Storage];
B&S Case No.: CV 02-2319
Subject Property: 21540 Smoketree Street, Perris; APN: 318-230-021
District One

RECOMMENDED MOTION: Move that:

1. The excess outside storage of materials on the real property located at 21540 Smoketree Street, Perris, Riverside County, California, APN: 318-230-021, be declared a public nuisance and a violation of Riverside County Ordinance No. 348, Section 13.1 as codified in Riverside County Code Chapter 17.120.
2. Alvin C. Smith and Jessie B. Smith, the owners of the subject real property, be directed to abate the excess outside storage on the property by removing the same from the real property within ninety (90) days.
3. If the owners or whoever has possession or control of the real property does not take the above described action within ninety (90) days of the date of the Board's Order to Abate, that representatives of the Department of Building & Safety, Sheriff's Department, and/or a contractor, upon consent of the owner or receipt of a Court Order authorizing entry onto the real property, when necessary under applicable law, shall abate the excess outside storage by removing the same from the real property.

(Continued)



 DALE ALLEN GARDNER,
 Deputy County Counsel

C.E.O. RECOMMENDATION:

APPROVE

County Executive Office Signature



Policy

Consent

Department Recommendation:
Per Executive Office:

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 COUNTY OF RIVERSIDE
 SECRETARY DISTRICT ONE COMMISSION

4. The reasonable costs of abatement, after notice and an opportunity for hearing, shall be imposed as a lien on the real property, which may be collected as a special assessment against the real property pursuant to Government Code Section 25845 and Ordinance No. 725 (RCC Title 1).
5. County Counsel be directed to prepare the necessary Findings of Fact and Conclusions that the excess outside storage of materials on the real property is declared to be in violation of Riverside County Ordinance No. 348 (RCC Title 17), and a public nuisance, and further, to prepare an Order to Abate for approval by the Board.

JUSTIFICATION:

1. An initial inspection was made of the subject property as of March 26, 2003.
2. The inspections of the property revealed the excess outside storage of materials in violation of Riverside County Ordinance No. 348, Section 13.1, including but not limited to: metal, wood, car parts, appliances, tires and other debris. The total square footage of the material measured approximately nineteen thousand nine hundred eleven (19,911) square feet.
3. Subsequent inspections of the above-described real property on October 27, 2003 April 20, and May 10, 2004 revealed that the excess outside storage of materials remained on the property, in violation of Riverside County Ordinance No. 348, Section 13.1.
4. Staff of the Department of Building and Safety have complied with the notice requirements set forth in the appropriate laws of this jurisdiction pertaining to the Administrative Abatement Proceedings for the removal of excess outside storage.